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8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11 IN RE BEXTRA AND CELEBREX
12 MARKETING, SALES PRACTICES AND
13 PRODUCT LIABILITY LITIGATION,

14 No. MDL 05-01699 CRB

15 **ORDER GRANTING MOTION TO
WITHDRAW AS COUNSEL AND
DISMISSING CLAIMS FOR A
FAILURE TO PROSECUTE**

16 *This document relates to:*

17
18 Kurt Lebert, 06-0229 CRB

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20 On September 11, 2007, the Court issued an Order To Show Cause directing plaintiff
21 Balden Pratt to show cause as to why (1) his counsel's motion to withdraw should not be
22 granted; and (2) plaintiff's claims should not be dismissed for a lack of prosecution. In
23 particular, the Court directed plaintiff to notify the Court in writing on or before October 5,
24 2007 of the reasons the withdrawal should not be granted or the case dismissed if plaintiff
25 wished to contest either action. As of the date of this Order, plaintiff has not responded to
26 the Court's Order and has not otherwise communicated with the Court. Accordingly,
27 plaintiff's counsel's motion to withdraw is GRANTED and plaintiff's claims are dismissed

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1 with prejudice for a failure to prosecute.

2 **IT IS SO ORDERED.**

3 Dated: October 12, 2007



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE